

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

HM & FW Deptt., - Directorate of Health - Sri A.V.Menon, formerly Health Inspector, Fever Hospital, Hyderabad now CHO Retired - Filed O.A.No.5618/2000 - Implementation of APAT Orders - Cancellation of Penalty imposed i.e., stoppage of 2 increments without cumulative effect - Orders - Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (VC.III.2) DEPARTMENT

G.O.Rt.No.1458

Dated 20/09/2008.
Read the following:-

- 1) G.O.Rt.No.615 HM & FW Deptt., dated 07/06/2001.
- 2) From the APAT orders dated 13/08/2004 in O.A.No.5618/2000.
- 3) From the APAT orders dated 21/06/2007 in M.A.No.2841/06 in O.A.No.5618/2000.
- 4) From the A.P. High Court orders dated 01/09/2008 in W.P.No.18710/08.

ORDER:

Sri. A.V.Menon formerly Health Inspector, Fever Hospital, Hyderabad (now Chief Health Officer, Retired) faced enquiry for dereliction of duty and negligent attitude towards superiors. He was awarded a penalty of stoppage of (3) increments with cumulative effect by Regional Director. The Director of Health later on reduced the said penalty to that of stoppage of (2) increments with cumulative effect. The individual filed O.A.No.745/97 and the APAT in its order dated 31/01/2000 disposed of the O.A. with a direction to reconsider the decision. The Government having considered the said APAT orders, finally on reconsideration, rejected the appeal / request of the individual (i.e., vide G.O.Rt.No.724 HM & FW Department, dated 07/06/2000), duly confirming the earlier penalty imposed by Director of Health i.e., stoppage of (2) increments with cumulative effect on the individual.

2. Aggrieved by the above, the individual filed another O.A.No.5618/2000 in APAT. While this case was pending in Tribunal by reconsidering the appeal made by the individual, the earlier penalty of stoppage of (2) increments with cumulative effect was reduced to that of (2) increments without cumulative effect, vide G.O. 1st read above.

3. Subsequently APAT in its final orders dated 13/08/2004 in O.A.No.5618/2000 had set aside the penalty imposed by Government on the individual.

4. The individual has also filed M.A.No.2841/06 for immediate compliance of earlier APAT orders dated 13/08/2004 in O.A.No.5618/2000 and the APAT in its orders 3rd read above allowed the M.A.No.2841/06 for implementation of earlier APAT orders 2nd read above.

(p.t.o. 2)

5. The matter was appealed in High Court by Director of Health by way of filing W.P.No.18710/08 seeking dismissal of earlier APAT orders 2nd read above. The above said W.P. was dismissed on 01/09/2008 by Hon'ble High Court.

6. The Government after careful consideration of the issue in the light of the APAT orders 2nd & 3rd read above hereby decide and accordingly order to cancel the penalty of stoppage of two increments without cumulative effect imposed on Sri. A.V.Menon formerly Health Inspector, Fever Hospital, Hyderabad now Community Health Officer (Retired) with immediate effect.

7. The Director of Health is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**DR. VIJAY KUMAR
EX-OFFICIO SECRETARY TO GOVERNMENT**

To

The Director of Health, Hyderabad.

Copy to:

The individual through D.H.

The RDM & HS, Warangal.

The Secretary, APPSC, Hyderabad.

The G.P. APAT (HM & FW Deptt.),
Hyderabad.

SF/SC

//FORWARDED BY :: ORDER//

SECTION OFFICER